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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICHAEL EVANS, et al.,

11 Plaintiffs,

12 v.

13 ALBERTSON'S, LLC,

14 Defendant.

CASE NO. C22-0056JLR

ORDER TO SHOW CAUSE
REGARDING SUBJECT
MATTER JURISDICTION

15 Before the court are: (1) Plaintiffs Michael Evans and Barbara Evans's complaint
16 (Compl. (Dkt. # 1-3)); and (2) Defendant Albertson's, LLC's ("Albertson's") notice of
17 removal (Notice (Dkt. # 1)). After reviewing the complaint, notice of removal, and
18 Albertson's corporate disclosure statement (CDS (Dkt. # 6)), the court finds that
19 Albertson's has failed to adequately allege facts from which the court can determine
20 whether the parties have sufficient diversity of citizenship. The court therefore ORDERS
21 Albertson's, within fourteen (14) days of the date of this order, to serve and file a

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1 submission that includes information sufficient to identify the citizenship of the parties
2 for purposes of establishing that the court has jurisdiction over this action.

3 Albertson's asserts that the court has jurisdiction under 28 U.S.C. § 1332(a)(1) and
4 (a)(3). (Notice at 2.) "For a case to qualify for federal jurisdiction under 28 U.S.C.
5 § 1332(a), there must be complete diversity of citizenship between the parties opposed in
6 interest." *Kuntz v. Lamar Corp.*, 385 F.3d 1177, 1181 (9th Cir. 2004). "For purposes of
7 diversity jurisdiction, a limited liability company 'is a citizen of every state of which its
8 owners/members are citizens.'" *3123 SMB LLC v. Horn*, 880 F.3d 461, 465 (9th Cir.
9 2018) (quoting *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir.
10 2006)); *see also* Local Rules W.D. Wash. LCR 8(a) (requiring a party asserting
11 jurisdiction based on diversity of parties to "identify the citizenship" of any LLC party's
12 owners and members).

13 Albertson's avers that Plaintiffs are residents of Washington State and that it "is a
14 Delaware corporation with headquarters located in Boise, Idaho." (Notice at 2.) Its
15 corporate disclosure statement indicates that Albertson's is wholly owned by Albertson's
16 Holdings LLC, which is, in turn, owned by AB Acquisition LLC. (*See* CDS.)
17 Albertson's, however, fails to allege the domicile of its owners or members. (*See* Notice;
18 CDS; *see also* Compl.) Absent allegations concerning all of Albertson's owners and
19 members, the court cannot determine whether it has properly invoked the court's subject
20 matter jurisdiction. *See 3123 SMB LLC*, 880 F.3d at 465.

21 Accordingly, the court ORDERS Albertson's to SHOW CAUSE why this case
22 should not be remanded for lack of federal subject matter jurisdiction. If Albertson's

1 fails to provide the court with the information described above within fourteen (14) days
2 of the date of this order, the court will remand this action to state court. Plaintiffs may,
3 but are not required to, respond to the court's order to show cause within the same
4 timeframe.

5 Dated this 8th day of February, 2022.

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8 JAMES L. ROBART
9 United States District Judge
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